IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1402/2006

Shri. Dayanand B. Nayak .....Applicant

V/s.

The state of Maharashtra .... Respondent

Shri.Shaymkumar V. Marwadi with Shrish Gupte Adv. for the applicant.
Miss. S.D. Shinde, APP for the State.

CORAM : V.M. KANADE, J.
DATE : 20/04/06

P.C:

For the reasons separately recorded, following order is passed:-

1. The applicant be released on bail in the sum of Rs.25,000/- with one or two sureties in the like amount. The applicant shall report to Investigating Officer as and when he is called. The applicant shall otherwise report to the concerned Investigating Officer twice in a month till filing of the chartesheet and once in a month after chargesheet is filed. He shall deposit his passport if not already deposited with the Investigating Officer and shall not

leave the Country without seeking permission of this Court. The applicant shall not threaten any witnesses or try to tamper with the evidence.

2. The applicant shall furnish cash surety initially, and thereafter within a period of two weeks of this, solvent surety for Rs.25,000/- as indicated hereinabove.

3. The trial court shall not be influenced by any observations made by this court while deciding this application for bail and the same should not be construed as an expression of opinion on merits of the case or on the manner in which investigation is carried out and the Trial Court shall decide the case on its own merits and in accordance with law.

4. It is clarified that the observations made in respect of non filing of chargesheet within 60 days are only for the purpose of deciding the submissions made in respect of legal provision laid down under Sec.167(2) of the Cr.P.C.

5. Application is accordingly disposed of.

V.M. KANADE, J.